

## **Call for tenders for subcontracting expertise for research and the development of playbooks in the field of New Frontiers for Collective Bargaining**

This is a call for a subcontractor<sup>1</sup> to provide expertise in the framework of the implementation of the ETUC New Frontiers for Collective Bargaining project.

The ETUC will publish the call on its website on 15 February 2022. The **deadline for submission of bids is Tuesday, 8 March 2022 at noon (12:00)**.

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<sup>1</sup> Throughout the text, references to “subcontractor” are synonymous to “expert”.

## 1. Context: the ETUC New Frontiers project

### 1.1 Summary and objectives of the project

The overall aim of this project is to promote and strengthen collective bargaining at all levels by extending the scope of collective bargaining and developing bargaining strategies to incorporate emerging issues as well as gender inequalities into negotiations and thus place collective bargaining at core of the post COVID-19 recovery. This will be achieved through 2 interlinked tracks.

- **Track A** (New Frontiers): will focus on extending the scope of collective bargaining and developing negotiation strategies which workers and trade unions can use to identify and address emerging issues in the changing world of work. Issues to be addressed include work time reduction, workers' data, monitoring, privacy and surveillance, tracking, and connectivity and the fight against the far right.
- **Track B** (Equal Pay): this track will not be included in the expert's work.

As part of the broader project activities, collective bargaining strategies will be developed through workshops and seminars, taking into account sectoral perspectives and the specific challenges faced in countries where there is little or no collective bargaining. A communication plan is also included to promote the importance of addressing these issues through collective agreements. An online resource open to ETUC members will be developed including examples of clauses from negotiated agreements.

### 1.2 Context of the project

The need for strengthening the capacities of social partners to engage in social dialogue and conclude collective agreements has been noted at European level in the Work Programme of the European Social Partners 2019-2021, the European Pillar of Social Rights, the Quadripartite statement on the new start for social dialogue, as well as the European Semester, notably the country specific recommendations issued as part of the spring package calling for effective involvement of social partners in policy making. The Political Guidelines issued by President Von der Leyen highlighted the challenges linked to realising the principle of equal pay for work of equal value, as well as the role of collective agreements in delivering fair wages and working conditions. The importance of collective bargaining in addressing working conditions, and new working methods as well as the gender pay disparity, were further highlighted in the communication on a Strong Social Europe for Just Transitions.

This project aims at promoting the objectives outlined in these policy priorities by exploring how collective bargaining can deliver solutions to emerging issues– such as the value of workers' data, privacy and surveillance, tracking, monitoring, working time arrangements etc. - as well as effectively addressing the equal pay for work of equal value.

The COVID-19 pandemic has also shown how collective bargaining is a crucial tool in the hands of unions to ensure worker health and safety, skills acquisition and appropriate work

organisation. The return to work and the shifting working practices will mean that collective agreements will need to take account of the new work practices.

## **2. Tasks to be performed by the subcontractor**

**The following tasks could be performed either by one single expert or by a (small) pool of junior experts managed by a senior one.**

Given the context outlined above, the subcontractor is required to:

- Provide trade union expertise on the issues dealt with (industrial relations systems, collective bargaining, social dialogue, work time reduction, privacy and surveillance of workers, and the fight against the far right);
- With the assistance of the ETUC project administrator, organise and carry out national and EU level interviews/ survey according to need;
- Collect, targeting all ETUC affiliates, examples of clauses from negotiated agreements or trade unions positions on the following topics: work time reduction, privacy and surveillance of workers, the fight against the far right;
- Draft a compilation/repository of collective agreements, clauses and trade union positions/ a report of research including collective agreements, clauses and positions;
- On the basis of the research carried out, and including examples from the collected material, draft a model agreement/ checklist of elements to keep into account when negotiating on these topics (work time reduction, privacy and surveillance of workers, the fight against the far right) (max 6 pages, in English<sup>2</sup>).
- Participate in project events, including seminars (online and/or in presence) related to the research carried out and the final conference and present research;
- Work in close coordination with the ETUC project's team throughout the project.

## **3. Expertise, experience and skills required**

The development of the online resource requires sound and proven expertise in the following fields:

- Expert knowledge of industrial relations systems, collective bargaining and social dialogue at national and European level;
- Sound understanding of the trade union movement and ETUC.

Sound experience is required in the following areas:

- Formulating and carrying out a tailored methodology in order to carry out comparative EU research;

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<sup>2</sup> This means that the documents must be finalised in English and require no proofreading.

- Running and moderating national /EU seminars /conferences on two or more of the following themes: industrial relations/ social dialogue/ work time reduction / value of workers' data/ workers privacy and surveillance/ the fight against the far right;
- Successful track record of delivering in similar projects run over a 12+ month period with EU institutions and/or European stakeholders (social partners, NGOs, etc.) etc.).

Skills required:

- Proven research and presentation skills;
- Report drafting skills (in English);
- Ability to work within specified deadlines and to respect budgetary limits;
- Ability to work in a multicultural context and understanding of different industrial relations culture and traditions;
- Good administration and project management skills.

#### 4. Time schedule and reporting

The subcontractor will be asked to sign the contract in February 2022. A first draft of the online resource must be available by 31 March 2022. This first draft will include: outline of the compilation/repository of collective agreements, clauses, trade union positions, model agreements/checklist. The timeline for the following steps will be agreed between the ETUC's project team and the subcontractor.

#### 5. Payment

The total maximum budget available for the fees of the subcontractor is as follows:

Contract with ETUC	
Main activities and Meetings	
<ul style="list-style-type: none"> <li>• Compilation/repository of clauses/ report of research</li> <li>• Model agreement/ checklist</li> <li>• Participation in events</li> <li>• Cooperation with ETUC project team</li> </ul>	
<b>Total budget for the Expertise</b>	<b>25 000€ (VAT and all taxes included)</b>

The subcontractor will be remunerated in various instalments (advance and final payment). This amount covers all fees but does not include the travel and subsistence costs for possible physical meetings.

#### 6. Selection criteria

Bids will be evaluated against the following criteria:

- Ability to propose a tailored methodology to prepare and produce a compilation/repository of agreements, clauses, trade unions positions, research on the topics at stake;
- Evidence of extensive experience in running and moderating interactive EU seminars/conferences on one or more of the following themes: industrial relations/ social dialogue/ work time reduction / value of workers' data/ workers surveillance/ the fight against the far right;
- Proven track record of ensuring the quality of written materials prepared, both in terms of content and format (i.e. previous publications) on one or more of the following themes: industrial relations/ social dialogue/ work time reduction / value of workers' data/ workers privacy and surveillance/ the fight against the far right;
- Expert knowledge of industrial relations systems at EU level, collective bargaining, work time reduction, value of workers' data, workers' privacy and surveillance, the fight against the far right;
- Ability to identify and integrate analyses of current labour market issues faced by governments, employers' and trade unions';
- Project management experience;
- Successful track record of similar project management experience is essential, with EU institutions and/or European stakeholders (social partners, NGOs, etc.);
- Ability to conduct meetings and draft documents in English;
- Good administration skills;
- Respect of the budgetary and time constraints.

## **7. Form, structure and content of the tender**

Tenders must be written in English. They must be signed by the tenderer or their duly authorised representative and be perfectly legible so that there can be no doubt as to words and figures. Tenders must be clear and concise and assembled in a coherent fashion.

Since tenderers will be judged on the content of their written bids, they must make it clear that they are able to meet the requirements of the specifications.

All tenders must include at least two sections:

### **i) Technical proposal**

The technical proposal must provide all the information needed for the purpose of awarding the contract, including:

- Specific information covering the technical and professional capacity as required in particular:
  - Description of relevant professional experience with emphasis on the specific fields covered by the invitation to tender;
  - Detailed curriculum vitae of key coordinator and/or possible other team members;
  - A selection of the main works and/or articles published by all the experts involved, in relation to the relevant subjects specified in this tender.
- Specific information on the work plan and tasks identified in paragraph 2.

### **ii) Financial proposal**

Prices of the financial proposal must be quoted in euros, including the countries which are not in the euro-area. As far as the tenderers of those countries are concerned, they cannot change the amount of the bid because of the evolution of the exchange rate. The tenderers choose the exchange rate and assume all risks or opportunities relating to the rate fluctuation.

Prices must be fixed amounts and not include travel expenses and daily allowances for the interviews and meeting attendance (which will be covered by ETUC on the basis of EU rules & thresholds).

The maximum amount available for this contract is EUR 25,000 (VAT and all taxes included<sup>3</sup>).

Prices shall be fixed and not subject to revision during the performance of the contract.

## **8. Award Criteria**

The contract will be awarded to the tender offering the best value for money, taking into account the specific objectives, requirements and selection criteria of the tender. The principles of transparency and equal treatment will be respected with a view to avoiding any conflicts of interest.

## **9. Content and selection of the bids**

**This call for tenders will be published on the ETUC website on 15 February 2022. Offers must be sent at the latest on Tuesday, 8 March 2022 at noon (12:00).** Offers must be sent to ETUC, in electronic format (by e-mail to [lmartin@etuc.org](mailto:lmartin@etuc.org)) and refer to the “ETUC New Frontiers Project”.

A committee will be formed comprising of 3 representatives of the ETUC. One or more members of this committee will initial the documents, confirming the date and time of each bid. The committee members will sign the report on the bids received, which will list the admissible bids and provide reasons for rejecting bids owing to their failure to comply with the stipulations of the tendering process.

This committee will also evaluate the tenders that have been deemed admissible. An evaluation report and classification of participation requests will be drawn up, dated and signed by all the members of the evaluation committee and kept for future reference.

This report will include:

1. The name and address of the contracting authority, the purpose and value of the contract;
2. The names of any excluded candidates and the reasons for their rejection;
3. The names of candidates selected for consideration and the justification for their selection;
4. The names of candidates put forward and justification of their choice in terms of the selection or award criteria.

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<sup>3</sup> Unless the subcontractor is exempt from VAT, VAT is always included in the total, also when reverse charge applies and it is borne by ETUC.